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DATE: January 30, 2004

TO: Examiner Rosenberger Fax No.: (703) 872 9306

TC Art Unit: 2877

FROM: Charles L. Gagnebin III No. of pages transmitted
(including this page): 15

Our File: SCHSM-009XX Time:

Your Ref: Sent by: Leigha

Application No. 10/002,398

Filed Date: October 25, 2001

A confirmation copy of this transmission will not be mailed unless the following is checked:
MESSAGE

PLEASE DELIVER DIRECTLY TO:
EXAMINER ROSENBERGER, Tel. (703) 308-4804
TC ART UNIT NO: 2877

FOR ENTRY

Enclosed for filing please find an: Amendment

The Commissioner is hereby authorized to Charge Deposit Account No. 23-0804 for any additional filing fees associated with this communication or credit any overpayment.



Attorney for Applicant: Charles L. Gagnebin III
Registration No. 25,467

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Rev 12/03

Application No.: 10/002,398
 Filed: October 25, 2001
 TC Art Unit: 2877
 Confirmation No.: 1040

WEINGARTEN, SCHURGIN, GAGNEBIN & LEOVICI LLP

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 Boston, Massachusetts 02109
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Date: January 30, 2004

Via Facsimile
COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, VA 22313-1450

Attorney
Docket No.: SCHSM-009XX

Sir:

In re application of: Hans Pallingen

Entitled: PHOTO ELECTRIC MEASURING DEVICE

Transmitted herewith is an amendment in the above-identified application. The following checked items are applicable:

This is a Request for Continued Examination under §1.114; authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of same (\$_____) per §1.17(e).
 Enter the unentered amendment previously filed on _____ per §1.116.

A Petition for Extension of Time for ____ month is hereby made under §1.136(a); authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of same (\$_____) per §1.17.

In the event a Petition for Extension of Time is required by this paper and not otherwise provided, such Petition is hereby made and authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of such extension.

 _____ is hereby appointed Associate Attorney by:

Registration No.:

Attorney of Record:
 Registration No.:

 Other:

CLAIMS AFTER AMENDMENT:	MINUS PRIOR PAID CLAIMS:	EQUALS PRESENT EXTRA CLAIMS:	RATE:	ADDITIONAL FEE:
Independent	1 - 3	= 0	x \$86.00 =	0
Total	8 - 30	= 0	x \$18.00 =	0
<input type="checkbox"/> Multiple Dependent Claims (1st presentation)			+ \$290.00 =	0
SUBTOTAL ADDITIONAL FEE				0
Small Entity filing, divide by 2. Small Entity status must be asserted.				0
TOTAL ADDITIONAL FEE				0

No additional fee. The fee has been calculated above; authorization is provided herewith to charge Deposit Account No. 23-0804 (\$_____) for the cost of same.

The Commissioner is hereby authorized to charge payment of any additional filing fees under §1.16 associated with this communication or credit any overpayment to Deposit Account No. 23-0804.

I hereby certify that this correspondence is being sent via facsimile to Examiner Rosenberger, TC Art Unit 2877, Fax No. (703) 872 9306, on 1/30/04.

SUBMIT IN TRIPPLICATE
 301388

Attorney of Record: Charles L. Gagnebin III
 Registration No.: 25,467

PATENT

Rev 12/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : Hans Pallingen
Application No. : 10/002,398
Filed : October 25, 2001
For : PHOTO ELECTRIC MEASURING DEVICE
Confirmation No. : 1040
Examiner : Richard A. Rosenberger
Attorney's Docket : SCHSM-009XX

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TC Art Unit: 2877

I hereby certify that this correspondence is being sent via facsimile to Examiner Rosenberger, TC Art Unit 2877, Fax No. (703) 872 9306, on 1-30-4.

By: Charles L. Gagnebin III
Registration No. 25,467
Attorney for Applicant

AMENDMENT

Via Facsimile
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated November 20, 2003
please amend the above-identified patent application as follows.

WEINGARTEN, SCHURCIN,
GAGNEBIN & LIEBOVICI LLP
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